

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
PENNSYLVANIA

WALTER BECK CORPORATION d/b/a  
THE RAINBOW INN,

Plaintiff,

vs.

SAFECO CORPORATION, AMERICAN  
ECONOMY INSURANCE COMPANY,  
and AMERICAN STATES INSURANCE  
COMPANY,

Defendant.

Civil Action No. 04-348-Erie

Judge Maurice B. Cohill, Jr.

**AFFIDAVIT**

STATE OF NEW JERSEY

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SS:

COUNTY OF CAMDEN

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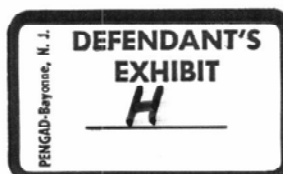
And now comes, James F. Valentine, who deposes and says as follows:

1. I am James F. Valentine, the owner of James F. Valentine, Inc., of Lindenwold, New Jersey. I am a certified fire and explosion investigator, a certified fire investigator instructor, a certified fire protection specialist and licensed private investigator.

2. I am a member of National Fire Protection Association (NFPA), National Association of Fire Equipment Dealers (NAFED), International Association of Fire Chiefs (IAFC), New Jersey Association of Fire Equipment Dealers (NJAFED), National Association Fire Investigator (NAFI); and other professional organizations. I am also a principal member of the NFPA, Standard 96 committee.

3. I was employed in the Lindenwold Fire Department from 1974 to 1997 and was Chief of the fire department from 1989 to 1997. These are some, but not all of my professional activities.

4. I am providing you with this affidavit regarding a claim of alleged use of Halon as a commercial cooking fire suppressant and whether Halon has been UL listed for commercial cooking fire suppression.



5. Halon is a gas. Halon 1301, when it was manufactured, and through the present day, was never tested by Underwriters Laboratory for application as a suppressant of commercial cooking fires.

6. As a result, Underwriters Laboratory never listed a Halon system for use as a fire suppressant of commercial cooking fires.

7. In addition, NFPA-96 is the industry standard used for ventilation control and fire protection of commercial cooking operations.

8. The industry standard for Halon use is NFPA 12A; that standard, NFPA-12A, is not referenced as an acceptable means of commercial cooking fire extinguishment under NFPA-96.

9. In my experience, and in my opinion, Halon is not, and never has been, an accepted commercial cooking fire suppression agent. Halon would not be considered an acceptable fire suppressant in commercial kitchens, nor has UL listed Halon for such use.

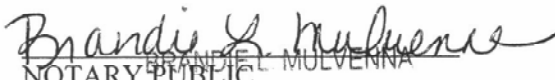
10. If called as a witness, I could testify to the above based upon my personal knowledge, training and experience.

Further affiant sayeth not.

  
James F. Valentine

Sworn and subscribed to before me this 4 day of December,  
2006.

My commission expires on the 8 day of December, 2008.

  
BRANDIE G. MULVENNA  
NOTARY PUBLIC  
NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES DEC. 8, 2008